

## Maine Revised Statutes

### Title 22: HEALTH AND WELFARE

#### Chapter 250: CONTROL OF NOTIFIABLE DISEASES AND CONDITIONS

HEADING: PL 1989, c. 487, §11 (rpr); 2005, c. 383, §1 (rpr)

#### §804. PENALTIES

**1. Rules enforced.** All agents of the department, local health officers, sheriffs, state and local law enforcement officers and other officials designated by the department are authorized to enforce the rules of the department made pursuant to section 802 to the extent that enforcement is authorized in those rules.

[ 2007, c. 598, §10 (AMD) . ]

**2. Refusal to obey rules.** Any person who neglects, violates or refuses to obey the rules or who willfully obstructs or hinders the execution of the rules, may be ordered by the department, in writing, to cease and desist. This order shall not be considered an adjudicatory proceeding within the meaning of the Maine Administrative Procedure Act, Title 5, chapter 375. In the case of any person who refuses to obey a cease and desist order issued to enforce the rules adopted pursuant to section 802, the department may bring an action in District Court to obtain an injunction enforcing the cease and desist order or to request a civil fine not to exceed \$500, or both. Alternatively, the department may seek relief pursuant to section 810 or 812. The District Court shall have jurisdiction to determine the validity of the cease and desist order whenever an action for injunctive relief or civil penalty is brought before it under this subsection.

[ 1989, c. 487, §11 (NEW) . ]

#### SECTION HISTORY

1989, c. 487, §11 (NEW). 2007, c. 598, §10 (AMD).

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